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**FACSIMILE COVER LETTER**

**To:** Commissioner for Patents  
Examiner Vincent F. Boccio

**Firm:** U.S. Patent and Trademark Office  
Art Unit 2616

**Facsimile:** (703) 872-9306

**From:** Thomas F. Presson

**Date:** June 22, 2005

**Re:** FLH Ref No.: 450100-02879  
Serial No: 09/731,994

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**Number of Pages:** 12  
(including cover page)

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00291706

**PATENT**  
**450100-02879**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Yasumasa Kodama  
 Serial No. : 09/731,994  
 Filed : December 7, 2000  
 For : DATA RECORDING AND REPRODUCING APPARATUS AND  
 DATA RECORDING AND REPRODUCING METHOD  
 Examiner : Boccio, Vincent F.  
 Art Unit : 2616

745 Fifth Avenue  
 New York, NY 10151  
 Tel: 212-588-0800

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☒ No additional fee is required.  
☐ The fee has been calculated as shown below.  
☐ This is an application of a small entity under 37 CFR 1.9(f), and the amounts shown in parentheses apply.

**Claims as Amended**

(1)	(2) Claims remaining after amendment	(3)	(4) Highest number previously paid for	(5) Percent extra	(6) Rate	(7) Additional Fee
Total claims	10	Minus	** = 10	* 0 x	\$50 (25)	= \$ 0
Independent claims	2	Minus	*** = 2	* 0 x	\$200 (100)	= \$ 0
Total additional fee for this amendment						\$ 0

- \* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.  
 \*\* If the highest number of total claims previously paid for is less than 20, write "20" in this space.  
 \*\*\* If the highest number of independent claims previously paid for is less than 3, write "3" in this space.

- ☐ This application contains a multiple dependent claim. The required fee of \$300 (150) has been previously paid ☐, or is paid herewith ☐.
- ☐ This response is being filed within the \_\_\_\_ month following the expiration of the term originally set therefor. This is a petition to request a \_\_\_\_ month extension of time. A check covering the cost of the petition is enclosed.
- ☐ A check in the amount of \$\_\_\_\_ is attached, which covers the cost of ☐ additional claims & petition for extension of time.
- ☐ Charge \$\_\_\_\_ to Deposit Account No. 50-0320.
- ☒ Please charge any additional fees incurred by reason of this response or credit any overpayment to Deposit Account No. 50-0320.

**FACSIMILE**

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office, 703-872-9306, on June 22, 2005.

DeAndre Breeland

Type or print name of person signing certification

Signature

June 22, 2005

Date of Signature

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
 Attorneys for Applicants

By:

Thomas F. Presson  
 Reg. No. 41, 442

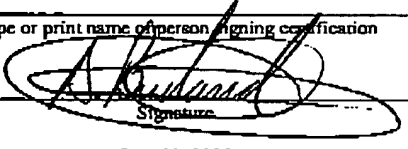
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PATENT  
450100-02879

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AND DATA RECORDING AND REPRODUCING METHOD  
Examiner : Boccio, Vincent F.  
Art Unit : 2616  
Confirmation No. : 1585

745 Fifth Avenue  
New York, NY 10151

<p align="center"><b><u>FACSIMILE</u></b></p> <p>I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office, 703-872-9306, on June 22, 2005.</p> <p align="center">DeAndre Breeland</p> <p align="center">Type or print name of person signing certification</p> <p align="center"></p> <p align="center">Signature</p> <p align="center">June 22, 2005</p> <p align="center">Date of Signature</p>
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**AMENDMENT UNDER 37 C.F.R. § 1.121**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed on March 22, 2005, having a three-month statutory period for response set to expire on June 22, 2005, please amend the above-identified application as follows.

PATENT  
450100-02879

**Amendments to the Claims** are reflected in the listing of claims which begins on  
page 3 of this paper.

**Remarks/Arguments** begin on page 8 of this paper.